

AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 17, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: EOT-34415 – EXTENSION OF TIME – SPECIAL USE PERMIT

– APPLICANT: DR. ANDREW STUTZ - OWNER: CALVERY COMMUNITY CHURCH

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Special Use Permit (SUP-26569) shall expire on April 16, 2010 unless another Extension of Time is approved by the City Council.
2. Conformance to the conditions of approval of Special Use Permit (SUP-26569) and all other site related actions as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for an Extension of Time of a previously approved Special Use Permit (SUP-26569) for a Social Service Provider (Dentistry) located at 2900 North Torrey Pines Drive.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/05/93	The City Council approved a request for a Rezoning (Z-0031-93) from R-E (Residence Estates) to C-V (Civic) of property generally located at the southeast corner of Brooks Avenue and Torrey Pines Drive. The Planning Commission recommended approval on 04/22/93.
09/14/95	The Planning Commission approved a request for a Plot Plan Review [Z-0031-93(1)] for a modular classroom building at 2900 North Torrey Pines Drive.
03/25/97	The Board of City Commissioners approved a request for a Special Use Permit (U-0012-97) to allow a gymnasium/multi-purpose classrooms for Sunday School and parking lot at 2900 North Torrey Pines Drive.
05/13/99	The Planning Commission approved a request for a Site Development Plan Review [Z-0031-93(2)] for three temporary classroom trailers located at 2900 North Torrey Pines Drive.
03/01/00	The City Council approved a request to amend a portion of the Southwest Sector of the General Plan (GPA-0048-99) from R (Rural Density Residential) to PF/SC (Public Facility/School) on property located on the southwest corner of Torrey Pines Drive and Brooks Avenue. The Planning Commission recommended approval on 01/27/00.
03/01/00	The City Council approved a request for Rezoning (Z-0086-99) from U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation], R-E (Residence Estates), and C-V (Civic) to C-V (Civic) of property generally located on the southeast corner of Torrey Pines Drive and Brooks Avenue.
08/16/00	The City Council approved a request for a Site Development Plan Review [Z-0086-99(1)] for a 14,980 square-foot Daycare and a 20,539 square-foot Community Center in conjunction with an existing church located at the southeast corner of Torrey Pines Drive and Brooks Avenue. The Planning Commission recommended approval on 01/27/00.
04/06/05	The City Council denied a request for a Review of Condition Number 1 (ROC-6073) of an approved Site Development Plan Review [Z-0086-99(1)] to eliminate the requirement for a decorative block wall along the south

	property line for an existing church on 11.22 acres at 2900 North Torrey Pines Drive.
--	---

12/08/04	A Code Enforcement case (24358) was processed for lights going into residential homes and a generator running at 2900 North Torrey Pines Drive. Code Enforcement closed the case on 01/11/05.
01/12/04	A Code Enforcement case (8462) was processed for construction debris and trucks driving across bike paths and jumping the curb near a school at 2900 North Torrey Pines Drive. Code Enforcement closed the case on 01/14/04.
01/22/04	A Code Enforcement case (9047) was processed for trash and debris from 2900 North Torrey Pines Drive blowing all over the neighborhood. Code Enforcement closed the case on 03/11/04.
01/14/05	A Code Enforcement case (25192) was processed for violating Condition Number 1 of a previously approved Rezoning (Z-0086-99) that prohibited vehicular access onto Fort West Road or Mustang Street. Code Enforcement closed the case on 05/17/05.
04/16/08	The City Council approved a request for a Special Use Permit (SUP-26569) for a Social Service Provider (Dentistry) at 2900 North Torrey Pines Drive. The Planning Commission recommended approval on 05/13/08.
<i>Related Building Permits/Business Licenses</i>	
03/29/96	A business license (N13-00025) was issued for a Pre-School at 2900 North Torrey Pines Drive, Suite B. The license is still active.
09/08/03	A building permit (3019286) was issued for tenant improvements for a gymnasium at 2900 North Torrey Pines Drive. The permit was finalized on 02/17/05.
09/08/03	A building permit (3019285) was issued for the assembly shell. The permit was finalized on 06/17/04.
09/01/00	A building permit (16392) was issued for a new 14,980 square-foot building (building B) at 2900 North Torrey Pines Drive. The permit was finalized on 02/23/01.
There were numerous additional permits issued for work that included mechanical, electrical, plumbing, revisions to submitted plans, etc.	

<i>Pre-Application Meeting</i>
A pre-application meeting is not required for this type of application, nor was one held.
<i>Neighborhood Meeting</i>
A neighborhood meeting is not required for this type of application, nor was one held.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	1.88

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Church, Daycare, Community Center	PF (Public Facilities)	C-V (Civic)
North	Single-Family	R (Rural Density)	R-D (Single Family)

	Residences	Residential)	Residential-Restricted)
--	------------	--------------	-------------------------

South	Elementary School	PF (Public Facilities)	C-V (Civic)
East	Single-Family Residences- Clark County	RN (Rural Neighborhood)- Clark County	R-E (Rural Estates Residential)- Clark County
West	Single-Family Residences	ML (Medium-Low Density Residential)	R-D (Single Family Residential-Restricted) and R-CL (Single Family Compact Lot)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts	X		Y
C-V (Civic) District	X		Y
A-O (Airport Overlay) District (105 feet)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

ANALYSIS

This is the first request for an extension of time of a previously approved Special Use Permit (SUP-26569) for a Social Service Provider (Dentistry) located at 2900 North Torrey Pines Drive. Title 19.18.060 deems a Special Use Permit exercised upon the issuance of a business license to conduct the activity, if one is required, or otherwise upon the issuance of a certificate of occupancy or approval of a final inspection. The applicant has not yet applied for a business license nor are they conducting the activity at the subject site.

FINDINGS

The Special Use Permit (SUP-26569) has not met the requirements outlined in Title 19.18.060 to exercise the entitlement. The applicant is requesting additional time to secure a license to conduct the activity. Staff is recommending approval of this request with a one-year time limit. Conformance to the conditions of approval of Special Use Permit (SUP-26560) shall be required.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

<u>NOTICES MAILED</u>	N/A
------------------------------	-----

<u>APPROVALS</u>	0
-------------------------	---

<u>PROTESTS</u>	0
------------------------	---